

BOSTON REDEVELOPMENT AUTHORITY

REPORT AND DECISION ON THE APPLICATION OF FIELDSTONE ASSOCIATES FOR THE AUTHORIZATION AND APPROVAL OF A PROJECT UNDER MASSACHUSETTS GENERAL LAWS (TER.ED.) CHAPTER 121A AS AMENDED, AND CHAPTER 652 OF THE ACTS OF 1960, TO BE UNDERTAKEN AND CARRIED OUT BY A LIMITED PARTNERSHIP ORGANIZED PURSUANT TO MASSACHUSETTS GENERAL LAWS, CHAPTER 109, AND APPROVAL TO ACT AS AN URBAN REDEVELOPMENT LIMITED PARTNERSHIP UNDER SAID CHAPTER 121A.

A. The Hearing. A public hearing was held at 2:30 P.M. on October 2, 1980, in the offices of the Boston Redevelopment Authority (hereinafter called the "Authority"), at the New City Hall, Room 921, Boston, Massachusetts 02201, by the Authority on an Application dated September 26, 1980 (hereinafter called the "Application"), filed by Franklin Field Housing Corporation, on behalf of Fieldstone Associates, for authorization and approval of a redevelopment project under Chapter 121A of the General Laws of the Commonwealth of Massachusetts and Chapter 652 of the Acts of 1960, as amended (hereinafter called the "Project"), due notice of said hearing having been given previously by publication on September 22, 1980, and September 29, 1980, in the Boston Herald-American, a daily newspaper of general circulation published in Boston, and mailing postage prepaid in accordance with Rule 4 of the Rules and Regulations of the Authority for securing approval of Chapter 121A projects, and in accordance with the provisions of Section 13 of Chapter 652 of the Acts of 1960, as amended. Robert L. Farrell, Joseph J. Walsh, James Flaherty and James E. Cofield, Jr. were present at the hearing.

B. The Project. The proposed development area consists of land and a vacant school building located thereon at 901-907 Blue Hill Avenue, land and vacant buildings thereon located at 911-913, 915-917, 929, 935, 939, and 955-957 Blue Hill Avenue, and vacant parcels located at 931 Blue Hill Avenue, 11, 15, and 19 Paxton Street, and 312 Harvard Street, all located on sites in the Dorchester Neighborhood Strategy Area.

A full metes and bounds description can be found in Exhibit A to the Application

The Applicant has been tentatively designated as developers for each of the parcels constituting the Project Area.

The Project consists of the rehabilitation/conversion of the parcels constituting the Project Area, pursuant to the Department of Housing and Urban Development's Neighborhood Strategy Area, Section 8 Rehabilitation Program, into 84 residential apartments for low and moderate income elderly and handicapped persons and families. The Project, after rehabilitation as currently proposed will contain twenty-four (24) one bedroom elderly units; three (3) two bedroom elderly units; sixteen (16) one bedroom family units; and forty-one (41) two bedroom family units.

The appurtenant facilities will include community space, laundry rooms and landscaping. Attached to this Application as Exhibit D is a site plan for the Project Area. There is also incorporated into the Application as Exhibit E floor plans and elevations for the buildings and as Exhibit F outline specifications showing generally the character and quality of the construction to be used.

C. Authority Action. In passing upon the Application, the Authority has considered the Application itself, all documents, plans and exhibits filed therewith or referred to therein, the oral evidence presented at the hearing, the exhibits offered in evidence at the hearing, and arguments and statements made at the hearing.

D. Project Area. The Project as defined in the Application constitutes a "Project" within the meaning of Section 1 of Chapter 121A of the General Laws, providing, as it does, for the acquisition, rehabilitation and construction in a blighted, sub-standard and decadent area of decent, safe, and sanitary housing for moderate and low income elderly and handicapped individuals and families.

The Project Area is blighted, open, decadent and substandard, as those terms are defined in Section 1 of Chapter 121A, because all of the buildings therein are out of repair, physically deteriorated and dilapidated, unfit for human habitation and will increasingly become a local hazard and an eyesore. Moreover it is likely that the failure to redevelop the property in the near future will result in lasting detriment to the surrounding community.

The buildings are boarded up because they are structurally unsafe and badly in need of extensive rehabilitation. The existing plumbing and heating as well as electrical systems need replacing or major repairs, and substantial exterior work on the buildings is also required for suitable occupancy.

The vacant parcels are open and blighted with rubbish and other debris accumulating.

The former school building is vacant and continues to deteriorate.

The site would not be developed without the real estate taxes being limited to a percentage of the Project's estimated gross annual income, evidenced by the requirement of the mortgage lender attached to the Application. Percentage levels as a basis for taxation can only be lawfully agreed to by the City of Boston under General Laws, Chapter 121A and Chapter 6A. These conditions and other factors referred to in the Application and this Report and Decision warrant the carrying out of the Project in accordance with Chapter 121A.

For these reasons it is found that the Project Area is a blighted, open, decadent and substandard area within the meaning of Chapter 121A as amended. It is unlikely that the conditions will be remedied by the ordinary operations of private enterprise.

The Project will provide substantial financial return to the City of Boston. The amounts to be paid in lieu of real estate taxes by the Applicants are set forth in the Application. There shall be paid to the City of Boston a percentage payment in lieu of real estate taxes, in each of the forty calendar years after approval of the Project.

E. Cost of the Project. In the opinion of the Authority, the cost of the Project has been realistically estimated in the Application and the Project is practicable.

The estimated minimum cost of the Project will be approximately four million, five hundred thousand (\$4,500,000.00) dollars. The Project costs will be financed in accordance with the commitments furnished to the Authority subsequent to the public hearing and with the proceeds of capital contributions derived from syndication to limited partners.

The Project will be assisted by housing assistance payments under Section 8 of the U.S. Housing Act for 100% of the units.

The following are all the persons, natural or corporate, who, prior to the completion of the Project have or will have, directly or indirectly, any ownership interest in the Project. The General Partner of Fieldstone Associates, Franklin Field Housing Corporation, Investors who will be admitted as Limited Partners and the Mortgagees.

Experience with similar financing and organization methods persuades the Authority that the financial program is realistic.

F. Consistency with Master Plan. The Project does not conflict with the Master Plan for the City of Boston as the Project Area comes within a classification in the Master Plan which permits buildings and uses of the kind proposed by the Applicants.

G. Effect of the Project. The Project will not be in any way detrimental to the best interests of the public or the City of Boston or to the public safety and convenience and is not inconsistent with the most suitable development of the Project Area neighborhood or of the City. The Project will, in fact, forward the best interests of the City and will constitute a public use and benefit. The Plans of the structure to be rehabilitated within the Project Area have been reviewed by the Design Review Staff of the Authority. The Authority finds that this Project

will enhance the general appearance of the Area and furnish attractive and necessary landscaping and provide much needed low and moderate income housing in the Dorchester Neighborhood Strategy Area. The Project will have a positive economic impact on the neighborhood surrounding the Project Area and on the City of Boston. During construction of the Project, the Project general contractor will be required, to the best of its ability, to grant preference in hiring to Boston residents.

The construction of the Project will not involve the rehabilitation of any buildings which are presently occupied in whole or in part but rather involve vacant and boarded up buildings.

H. Environmental Considerations. Pursuant to the provisions of regulations implementing the Massachusetts Environmental Policy Act, 301 CMR 10.32 (3) (h), the Project has been categorically excluded from the filing of any environmental report.

In order to avoid or minimize any damage to the environment, the Authority hereby requires that the applicant comply with the City of Boston Air Pollution Control Commission's Regulations for the Control of Noise and Regulations for the Control of Atmospheric Pollution during all phases of construction activity. Furthermore, if the rehabilitation involves any abrasive blasting of interior or exterior surfaces, the contractor must submit an application for an Abrasive Blasting Permit to the City of Boston Air Pollution Control Commission prior to initiation of such activity.

I. Minimum Standards. The minimum standards for financing, construction, maintenance, and improvement of the Project as set forth in Exhibit L filed with and attached to the Application, are hereby adopted and imposed as Rules and Regulations (in addition to those hereinafter adopted and imposed) applicable to this Project for the same period as the Project is subject to the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended.

In addition to the minimum standards set forth in Exhibit L, the Authority hereby requires that the Applicants, prior to obtaining a building permit,

(1) enter into a Regulatory Agreement with the Authority pursuant to the requirements of General Laws, Chapter 121A, Section 18C and containing such other terms and conditions as the Authority may in its discretion deem necessary and appropriate; (2) submit to the Authority for its review and approval all plans and specifications for the Project as the Authority may require and accept such changes and modifications thereto as the Authority may deem necessary or appropriate, and (3) adhere to such design review controls and requirements as the Authority may in its discretion impose.

The carrying out of the Project will not require a permit for the erection, maintenance, and use of a garage within 500 feet of one or more buildings occupied in whole or in part as a public or private school having more than 50 pupils, or as a public or private hospital having more than 25 beds, or as a church.

The Project does not involve the construction of units which constitute a single building under the State Building Code and zoning laws, General Laws, Chapter 138.

Unless prevented or delayed by circumstances not reasonably within the control of the Applicant, construction will commence within thirty (30) days after conveyance of the Project Area, Initial Closing of the construction loan and expiration of applicable waiting periods. And the project shall be substantially completed within eighteen (18) months.

J. Zoning Code Deviations. Exhibit N to the Application lists the zoning code deviations requested. For the reasons set forth in the Application and the evidence presented at the hearing, the Authority finds that the deviations attached hereto and incorporated by reference as Exhibit A are necessary for the carrying out of the total project and are therefore granted without substantially derogating from the intent and purposes of the applicable laws, codes, ordinances and regulations respectively.

K. Duration of Period of Tax Exemption. The Applicant requests and the

Authority hereby grants an extension of twenty-five (25) years to the base term of fifteen (15) calendar years for the Project's period of tax exemption pursuant to the applicable provisions of Chapter 121A.

L. Decision. For all the reasons set forth in the foregoing report, the Authority hereby approves the undertakings by Fieldstone Associates of the Project pursuant to Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, subject to the provisions as set forth above.

EXHIBIT A

ZONING DEVIATIONS

901-907 Blue Hill Avenue
(District H-1)

1. Permission to deviate from zoning requirements (18-1) of front yard depth of 20 feet. The building has a front yard of approximately 15 feet.

2. Permission to deviate from zoning requirement (8-7(8), 23-1 and 23-7A) of .2 parking spaces per additional unit. There are presently no separate off-street parking facilities.

911, 913, 915, 917 Blue Hill Avenue
(H-1 District)

1. Permission to deviate from zoning requirement (8-7(8) and 14-2) of a lot area of 24,000 square feet (5,000 square feet plus 1,000 square feet for each additional dwelling). The lot size will be 12,000 square feet or 368.4 square feet per additional dwelling.

2. Permission to deviate from zoning requirements (8-7(8) and 15-1) limiting floor area ratio to 1.0. The floor area ratio will be approximately 1.5.

3. Permission to deviate from zoning requirements (8-7(8) and 17-1) of 400 square feet of usable open space per dwelling unit. Proposed usable open space will be 301 square feet per unit.

4. Permission to deviate from zoning requirements (18-1) of front yard depth of 20 feet. The building has a front yard of approximately 14 feet.

5. Permission to deviate from zoning requirement (8-7(8), 23-1 and 23-7A) of .2 parking spaces per additional unit. There are presently no separate off-street parking facilities.

929-931 Blue Hill Avenue
(District H-1)

1. Permission to deviate from zoning requirements (18-1) of front yard depth of 20 feet. The building has a front yard of approximately 15 feet.

2. Permission to deviate from zoning requirement (8-7(8), 23-1 and 23-7A) of .2 parking spaces per additional unit. There are presently no separate off-street parking facilities.

935A, 935B, 939A, 939B Blue Hill Avenue
(H-1 District)

1. Permission to deviate from zoning requirements (8-7(8) and 14-2) of a lot area of 15,000 square feet (5,000 square feet plus 1,000 square feet for each additional dwelling). The lot size will be 6,625 square feet or 162.5 square feet per additional dwelling.
2. Permission to deviate from zoning requirements (8-7(8) and 15-1) limiting floor area ratio to 1.0. The floor area ratio will be approximately 1.37.
3. Permission to deviate from the zoning requirement (8-7(8) and 17-1) of 400 square feet of usable open space per dwelling unit. Proposed usable open space will be 326.3 square feet per unit.
4. Permission to deviate from zoning requirement (18-1) of front yard depth of 20 feet. The building has a front yard of approximately 3 feet.
5. Permission to deviate from zoning requirement (8-7(8), 23-1 and 23-7A) of .2 parking spaces per additional unit. There are presently no separate off-street parking facilities.

955-957 Blue Hill Avenue
(H-1 District)

1. Permission to deviate from zoning requirements (8-7(8) and 14-2) of a lot area of 24,000 square feet (5,000 square feet plus 1,000 square feet for each additional dwelling). The lot size will be 12,000 square feet or 368.4 square feet per additional dwelling.
2. Permission to deviate from zoning requirements (8-7(8) and 15-1) limiting floor area ratio to 1.0. The floor area ratio will be approximately 1.5.
3. Permission to deviate from zoning requirements (8-7(8) and 17-1) of 400 square feet of usable open space per dwelling unit. Proposed usable open space will be 301 square feet per unit.
4. Permission to deviate from zoning requirement (18-1) of front yard depth of 20 feet. The building has a front yard of approximately 3 feet.
5. Permission to deviate from zoning requirement (8-7(8), 23-1 and 23-7A) of .2 parking spaces per additional unit. There are presently no separate off-street parking facilities.

MEMORANDUM

MARCH 12, 1981

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT J. RYAN, DIRECTOR

SUBJECT: CHAPTER 121A APPLICATION OF FIELDSTONE ASSOCIATES

On October 2, 1980, the Authority conducted a public hearing to consider the above-captioned 121A Application.

The Project consists of the acquisition, construction, rehabilitation, operation and maintenance of the land and buildings located at 901-907, 911-913, 915-917, 929, 935, 939, 955-957, and 931 Blue Hill Avenue, 11, 15 and 19 Paxton Street and 312 Harvard Street into 84 residential apartments for low and moderate income elderly and handicapped persons and families all in the Dorchester Neighborhood Strategy Area.

Authority staff has examined the Application and found that it contained sufficient evidence in support of the Project to make those findings and determinations necessary to proceed with the approval of the Project.

It is therefore recommended that pursuant to Chapter 121A of the General Laws, the Authority adopt the Report and Decision approving the Project.

An appropriate Vote follows:

VOTED: That the document presented at this meeting entitled "Report and Decision on the Application of Fieldstone Associates for the Authorization and Approval of a Project under Massachusetts General Laws (Ter.Ed.) Chapter 121A, as Amended, and Chapter 652 of the Acts of 1960, to be Undertaken and Carried Out by a Limited Partnership Organized Pursuant to Massachusetts General Laws, Chapter 109 and Approval to Act as an Urban Redevelopment Limited Partnership Under Said Chapter 121A" be and hereby is approved and adopted.